

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DARELL C. RICHARDS,

Defendant.

8:22CR57

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on September 27, 2024 regarding Second Amended Petition for Offender Under Supervision [70]. Richard McWilliams represented the defendant. Patrick McGee represented the government on behalf of Matt Lierman.

The defendant requested a preliminary hearing which was held. Fed. R. Crim. P. 32.1(b)(1). The court finds probable cause to believe the defendant has violated one or more conditions of supervised release as alleged in the petition and the defendant should be held to answer for a final dispositional hearing. [However, the government failed to meet its burden to establish probable cause that allegation #3 in the petition is true. Therefore, such allegations are dismissed.] Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before U.S. District Judge Brian C. Buescher in Courtroom No. 5, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 11:30 a.m. on October 23, 2024. Fed. R. Crim. P. 32.1(b)(1)(C).

The government moved for detention based upon danger. The defendant requested a detention hearing which was held. The court finds that the defendant failed to meet his/her burden to establish by clear and convincing evidence that he/she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to danger and the defendant shall be detained until further order of the Court.

The defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a correctional facility and shall be afforded a reasonable opportunity for private consultation with defense counsel. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility

shall deliver the defendant to the United States Marshal for an appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated this 27th day of September, 2024.

BY THE COURT:

s/ F.A. Gossett, III
United States Magistrate Judge